

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE ASACOL ANTITRUST LITIGATION	Civil Action No. 1:15-cv-12730 (DJC)
This Document Relates To:	
All End-Payor Actions	

**JOINT STATUS REPORT**

As instructed at the August 8, 2016 Status Conference, and pursuant to the Court's electronic order dated August 8, 2016 (ECF No. 117), the Warner and Allergan Defendants and End-Payor Plaintiffs have met and conferred and submit this update on the issue of amending the Consolidated End-Payor Complaint.

The End-Payor Plaintiffs plan to file on Monday, August 15, 2016 a Second Consolidated Amended Complaint. The Second Consolidated Amended Complaint will drop those claims dismissed by the Court's Order on July 20, 2016 (ECF No. 110), but will include the two claims under Arizona and Nevada state law that were dismissed without prejudice. Plaintiffs plan to serve notice on the respective State Attorneys General of the Second Consolidated Amended Complaint, and, per the Court's Order, will plead compliance with each state's notice requirements.

The Warner and Allergan Defendants confirm that, in light of these minor amendments only to include Nevada and Arizona claims and to serve the State Attorneys General, no further motion to dismiss briefing on the Second Consolidated Amended Complaint is anticipated.

Dated: August 12, 2016

Respectfully submitted,

/s/ Peter J. Carney  
J. Mark Gidley (PHV)  
Peter J. Carney (PHV)  
Eileen M. Cole (PHV)  
WHITE & CASE LLP  
701 Thirteenth Street, NW  
Washington, DC 20005  
Telephone: (202) 626-3600  
Facsimile: (202) 639-9355  
mgidley@whitecase.com  
pcarney@whitecase.com  
ecole@whitecase.com

Jack E. Pace III (PHV)  
Alison Hanstead (PHV)  
WHITE & CASE LLP  
1155 Avenue of the Americas  
New York, New York 10036  
Telephone: (212) 819-8200  
Facsimile: (212) 354-8113  
jpace@whitecase.com  
ahanstead@whitecase.com

Kevin C. Adam (BBO # 684955)  
WHITE & CASE LLP  
75 State Street, Floor 24  
Boston, MA 02109  
Telephone: (617) 979-9300  
Facsimile: (617) 979-9301  
kevin.adam@whitecase.com

*Counsel for Allergan plc, Allergan, Inc.,  
Allergan USA, Inc., Allergan Sales, LLC, and  
Warner Chilcott Limited*

/s/ Stephen G. Huggard  
Stephen G. Huggard (BBO #622699)  
Elizabeth H. Kelly (BBO #672277)  
LOCKE LORD LLP  
111 Huntington Avenue  
Boston, MA 02199

/s/ Nathaniel Orenstein  
Glen DeValerio (BBO #122010)  
Nathaniel Orenstein (BBO #664513)  
BERMAN DEVALERIO  
One Liberty Square  
Boston, MA 02109  
Tel: (617) 542-8300  
Fax: (617) 542-1194  
gdevalerio@bermandevalerio.com  
norenstein@bermandevalerio.com

Todd A. Seaver (BBO #645874)  
BERMAN DEVALERIO  
One California Street, Suite 900 San  
Francisco, CA 94111  
Tel: (415) 433-3200  
Fax: (415) 433-6382  
tseaver@bermandevalerio.com

*Liaison Counsel for the Proposed End-Payor  
Class*

Tyler W. Hudson  
Eric D. Barton  
David Barclay  
WAGSTAFF & CARTMELL, LLP  
4740 Grand Avenue, Ste. 300  
Kansas City, MO 64112  
T: (816) 701-1100  
F: (816) 531-2372  
thudson@wagstaffcartmell.com  
ebarton@wagstaffcartmell.com  
dbarclay@wagstaffcartmell.com

Kenneth A. Wexler  
Bethany R. Turke  
Justin N. Boley  
Adam Prom  
WEXLER WALLACE LLP  
55 W. Monroe Street, Suite 3300

Telephone: (617) 239-0100  
Facsimile: (617) 227-4420  
[stephen.huggard@lockelord.com](mailto:stephen.huggard@lockelord.com)  
[liz.kelly@lockelord.com](mailto:liz.kelly@lockelord.com)

Chicago, IL 60603  
T: (312) 346-2222  
[kaw@wexlerwallace.com](mailto:kaw@wexlerwallace.com)  
[brt@wexlerwallace.com](mailto:brt@wexlerwallace.com)  
[jnb@wexlerwallace.com](mailto:jnb@wexlerwallace.com)  
[ap@wexlerwallace.com](mailto:ap@wexlerwallace.com)

*Interim Co-Lead Counsel for the Proposed  
End-Payor Class*

Randall A. Hack  
LOCKE LORD LLP  
111 South Wacker Drive  
Chicago, IL 60606  
Telephone: (312) 443-0700  
Facsimile: (312) 443-0336  
[rhack@lockelord.com](mailto:rhack@lockelord.com)

*Counsel for Zydus Pharmaceuticals (USA) Inc.  
and Cadila Healthcare Limited*

Daniel E. Gustafson  
Karla M. Gluek  
Michelle J. Looby  
Joshua J. Rissman  
GUSTAFSON GLUEK PLLC  
120 South Sixth Street, Suite 2600  
Minneapolis, MN 55402  
T: (612) 333-8844  
F: (612) 339-6622  
[dgustafson@gustafsongluek.com](mailto:dgustafson@gustafsongluek.com)  
[kgluek@gustafsongluek.com](mailto:kgluek@gustafsongluek.com)  
[mlooby@gustafsongluek.com](mailto:mlooby@gustafsongluek.com)  
[jrissman@gustafsongluek.com](mailto:jrissman@gustafsongluek.com)

Jeffrey L Kodroff  
William G. Caldes  
John A. Macoretta  
SPECTOR ROSEMAN KODROFF &  
WILLIS, P.C.  
1818 Market Street, Suite 2500  
Philadelphia, PA 19103  
T: (215) 496-0300  
F: (215) 496-6611  
[jkodroff@srgw-law.com](mailto:jkodroff@srgw-law.com)  
[bcaldes@srgw-law.com](mailto:bcaldes@srgw-law.com)  
[jmacoretta@srgw-law.com](mailto:jmacoretta@srgw-law.com)

Peter J. Mougey (FL #0191825)  
LEVIN, PAPANTONIO, THOMAS,  
MITCHELL, RAFFERTY & PROCTOR,  
P.A.  
316 S. Baylen Street, Suite 600  
Pensacola, FL 32502  
T: (850) 435-7000  
F: (850) 435-7020  
[pmougey@levinlaw.com](mailto:pmougey@levinlaw.com)

Jonathan D. Karmel  
KARMEL LAW FIRM  
221 N. LaSalle Street, Suite 1307  
Chicago, IL 60601  
T: (312) 641-2910  
[jon@karmellawfirm.com](mailto:jon@karmellawfirm.com)

Karen Hanson Riebel  
Heidi M. Silton  
LOCKRIDGE GRINDAL NAUEN PLLP  
100 Washington Avenue South, Suite 2200  
Minneapolis, MN 55401  
T: (612) 339-6900  
F: (612) 339-0981  
[khriebel@locklaw.com](mailto:khriebel@locklaw.com)  
[hmsilton@locklaw.com](mailto:hmsilton@locklaw.com)

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on August 12, 2016.

/s/ Peter J. Carney

Peter J. Carney